

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

ELIZABETH FRANCIS,

Plaintiff,

v.

BLUE CROSS BLUE SHIELD OF MICHIGAN,

Defendant.

Case No. 1:22-cv-12890

Honorable Thomas L. Ludington  
United States District Judge

Honorable Patricia T. Morris  
United States Magistrate Judge

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**ORDER ADOPTING REPORT AND RECOMMENDATION AND DENYING AS MOOT  
DEFENDANT'S MOTION TO DISMISS**

Elizabeth Francis alleges Blue Cross Blue Shield of Michigan violated Title VII and Michigan's Elliot-Larsen Civil Rights Act by terminating her employment after she requested a religious exemption from Defendant's policy requiring COVID-19 vaccinations. ECF No. 1. Then Blue Cross filed a motion to dismiss. ECF No. 4.

On March 9, 2023, Magistrate Judge Patricia T. Morris issued a report recommending that the motion be denied as moot because Francis filed an amended complaint. ECF No. 14. Judge Morris provided 14 days to object, but the parties did not do so. They have therefore forfeited their right to appeal Judge Morris's findings. *See Berkshire v. Dahl*, 928 F.3d 520, 530–31 (6th Cir. 2019) (citing *Thomas v. Arn*, 474 U.S. 140, 149 (1985)). There is no clear error in the report.

Accordingly, it is **ORDERED** that Judge Morris's Report and Recommendation, ECF No. 14, is **ADOPTED**, and that Defendant's Motion to Dismiss, ECF No. 4, is **DENIED AS MOOT**.

**This is not a final order and does not close the above-captioned case.**

Dated: March 24, 2023

s/Thomas L. Ludington  
THOMAS L. LUDINGTON  
United States District Judge